

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 11-567

\$6,260.00 IN UNITED STATES CURRENCY,

Defendant,

and

RUSSELL ALLEN RANKIN AND
MIKAELA RANKIN,

Claimants.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff states:

JURISDICTION AND VENUE

1. This is a civil action *in rem* for forfeiture of Defendant property which has been located and will be arrested by execution of a Warrant for Arrest in the District of New Mexico; and during the pendency of this action Defendant, or its equivalent or proceeds thereof, will be subject to the jurisdiction of this Court.

2. The United States District Court for the District of New Mexico has exclusive, original jurisdiction under 28 U.S.C. §§ 1345, 1355 and 1356.

3. Venue is proper under 28 U.S.C. §§ 1335 and 1395.

4. The "res" or property which is the subject of this action consists of Six Thousand Two Hundred Sixty (\$6,260.00) in U.S. Currency (hereafter referred to as "Defendant Currency").

PARTIES AND CLAIMANTS

5. The following persons may claim an interest in Defendant Currency:
 - (a). Russel Allen Rankin at 544 Chama St SE #C, Albuquerque, NM 87108;
 - (b). Mikaela Rankin at 2269 Bosworth Dr, Silver City, NM 88061, whose attorney is Frederick D. Jones, Jr., Esq., P.O. Box 4131, Albuquerque, NM 87196.

FACTS

The circumstances from which the claim for forfeiture of Defendant Currency arise are:

6. Albuquerque Police Department (APD) received information that Russell Allen Rankin, a/k/a Carlos, was distributing crack cocaine from 544 Chama SE Apt. C, Albuquerque, NM. APD conducted a controlled purchase of crack cocaine from Carlos at 544 Chama SE Apt. C.

7. On January 9, 2009, APD officers executed a search warrant at 544 Chama SE Apt. C, Albuquerque, NM. Upon entry Officers made contact with Russell Allen Rankin, Elisha Mitchell and Isaiah Williams.

8. Mitchell was found in the bathroom after Officer noticed the shower curtain moving. Mitchell stated that Russell Rankin, who she knows as Carlos, had been selling drugs from this residence. She told Officers that Carlos had been in the shower when he heard police at the door. Carlos told Mitchell to hide the narcotics in her body cavity, but she threw them out the window instead. Mitchell had been living in this residence for about three days and had seen Carlos conduct crack deals.

9. The following items were found during the search of 544 Chama SE, Apt. C, Albuquerque, NM:

- a. 12.1 grams of cocaine hidden in the rooftop three feet from the bathroom window;
- b. in the kitchen:
 1. a digital scale,
 2. a small bag of marijuana, and
 3. a razor blade with white residue;
- c. in the southwest bedroom:
 1. Russell A. Rankin's birth certificate,
 2. Mikaela Rankin's drivers license,
 3. two loaded firearms,
 4. \$5,600.00 in U.S. Currency hidden inside the box-spring of the bed, and
 5. \$660.00 in U.S. Currency in the right pocket of a male's black pant.

10. Rankin told officers that he stays most evenings in southwest bedroom, but does not rent the apartment. Rankin admitted he was selling powder cocaine prior to the execution of the search warrant and that he gets high on cocaine frequently.

11. Rankin was arrested.

CLAIM FOR RELIEF

12. Defendant Currency is subject to arrest and forfeiture to Plaintiff under 21 U.S.C. § 881(a)(6) because it was furnished, or intended to be furnished, in exchange for a controlled substance, or constitutes proceeds traceable to such an exchange, or was used or intended to be used to facilitate a violation of the Controlled Substances Act.

WHEREFORE: Plaintiff seeks arrest of Defendant Currency and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown

Claimants to the Defendant Currency, costs and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,

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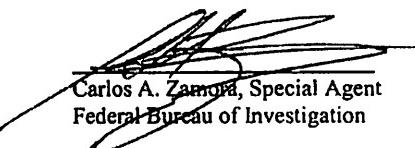
28 U.S.C. § 1746 DECLARATION

I am a Special Agent with the Federal Bureau of Investigation who has read the contents of the Complaint for Forfeiture *In Rem* to which this Declaration is attached; and the statements contained in the complaint are true to the best of my knowledge and belief.

I declare under penalty of perjury and the laws of the United States of America that this Declaration is true and correct, except as to matters stated on information and belief, and as to those matters I believe them to be true.

Dated:

6/27/11


Carlos A. Zamora, Special Agent
Federal Bureau of Investigation